

As a below named inventor, I hereby declare that I believe I am the original, first and sole inventor (*if only one name is listed below*) or an original, first and joint inventor (*if plural names are listed below*) of the subject matter which is claimed and for which a patent is sought in the application entitled:

(check one) _____ is attached hereto

X was filed on 17 April 2001 as
United States Application Serial No. 09/836567 or
PCT International Application No. _____
and was amended on _____

I hereby declare that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to herein.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate on which priority is claimed (as listed below) and I have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

<u>P 44 32 563.0</u>	<u>Germany</u>	<u>13 September 1994</u>	<u>X</u>	
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No

<u>PCT/US95/11125</u>	<u>WO</u>	<u>31 August 1995</u>	<u>X</u>	
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No

I hereby claim benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

Application Number

Filing Date

Application Number

Filing Date

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(b) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

08/298,644
Application Serial No.

31 August 1994
Filing Date

Patented	Status-patented, pending, abandoned
1	1
2	2
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08/793,659
Application Serial No.

26 February 1997
Filing Date

Pending
Status-patented, pending, abandoned

I hereby appoint William R. Coffey, Reg. No. 24023; Arland T. Stein, Reg. No. 25062; Richard D. Conard, Reg. No. 27321; Dilip A. Kulkarni, Reg. No. 27510; Steven R. Lammert, Reg. No. 27653; Richard A. Rezek, Reg. No. 30796; Paul B. Hunt, Reg. No. 37154; Jeffrey A. Michael, Reg. No. 37394; Bradford G. Addison, Reg. No. 41486; Shawn D. Bauer, Reg. No. 41603; Jill T. Powlick, Reg. No. 42088; Ronald S. Henderson, Reg. No. 43669; James R. Sweeney II, Reg. No. 45670; Christopher E. Haigh, Reg. No. 46377; Kevin D. Bailey, Reg. No. 46531; Rebecca Ball, Reg. No. 46535; Carli E. Stewart, Reg. No. 51058; Helen Geib, Reg. No. 50924; Kevin L. McLaren, Reg. No. 48351; Perry Palan, Reg. No. 26213; Mark M. Newman, Reg. No. 31472; Richard P. Krinsky, Reg. No. 47720; Richard B. Lazarus, Reg. No. 48215; Bobby B. Gillenwater, Reg. No. 31105; Gregory S. Cooper, Reg. No. 40965; Thomas J. Donovan, Reg. No. 33231; Alice O. Martin, Reg. No. 35601; Grant H. Peters, Reg. No. 35977; Mark A. Hamill, Reg. No. 37145; Daniel P. Albers, Reg. No. 44008, Sendil Devadas, Reg. No.

52425, Thomas E. Smith, Reg. No. 18243; Dennis M. McWilliams, Reg. No. 25195; James R. Sweeney, Reg. No. 18721; William M. Lee, Jr., Reg. No. 26935; Glenn W. Ohlson, Reg. No. 28455; David C. Brezina, Reg. No. 34128; Jeffrey R. Gray, Reg. No. 33391; Gerald S. Geren, Reg. No. 24528; Robert F.I. Conte, Reg. No. 20354; Timothy J. Engling, Reg. No. 39970; Howard B. Rockman, Reg. No. 22190; Peter J. Shakula, Reg. No. 40808; Mark A. Hagedorn, Reg. No. 44731; and Mark J. Nahnsen, Reg. No. 51093 as attorneys of record with full power of substitution and revocation, to prosecute this application, and to transact all business in the Patent and Trademark Office connected therewith, and I specify that communications regarding the application be directed to:

BARNES & THORNBURG
11 South Meridian Street
Indianapolis, Indiana 46204
Telephone (317) 236-1313

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Jason Scott Sawyer
FULL NAME OF SOLE OR FIRST JOINT INVENTOR

U.S.A.
Country of Citizenship

Inventor's Signature

Date

5718 N. Winthrop Avenue

Indianapolis, IN 46220
Residence and Post Office Address

James Jacob Starling
FULL NAME OF SECOND JOINT INVENTOR

U.S.A.
Country of Citizenship

Inventor's Signature

Date

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Carmel, IN 46033
Residence and Post Office Address

Stephen M. Spaethe (Deceased)
FULL NAME OF THIRD JOINT INVENTOR

Date

Inventor's Signature (Inventor, Stephen M. Spaethe, signed by
Lisa Spaethe, as Legal Representative)

U.S.A.
Country of Citizenship

1404 Spruce Drive

Carmel, IN 46033
Residence and Post Office Address (Residence Address of
Legal Representative)



Attorney Docket No.: 3051-67789
Client Reference No.: X-09776B

DECLARATION AND POWER OF ATTORNEY -- PATENT APPLICATION

As a below named inventor, I hereby declare that I believe I am the original, first and sole inventor (*if only one name is listed below*) or an original, first and joint inventor (*if plural names are listed below*) of the subject matter which is claimed and for which a patent is sought in the application entitled:

Methods For Identifying And Treating Resistant Tumors, the specification of which
(check one) X is attached hereto

X was filed on 17 April 2001 as
United States Application Serial No. 09/836567 or
PCT International Application No. _____
and was amended on _____

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<u>PCT/US95/11125</u> (Number)	<u>WO</u> (Country)	<u>31 August 1995</u> (Day/Month/Year Filed)	<u>X</u> Yes	<u> </u> No

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Application Number	Filing Date
_____	_____
Application Number	Filing Date

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<u>08/298,644</u> Application Serial No.	<u>31 August 1994</u> Filing Date	<u>Patented</u> Status-patented, pending, abandoned
<u>08/793,659</u> Application Serial No.	<u>26 February 1997</u> Filing Date	<u>Pending</u> Status-patented, pending, abandoned

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Jason Scott Sawyer
FULL NAME OF SOLE OR FIRST JOINT INVENTOR

U.S.A.
Country of Citizenship

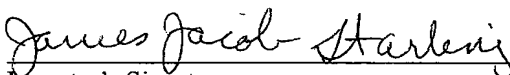

Inventor's Signature

June 26, 2003
Date

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Residence and Post Office Address

James Jacob Starling
FULL NAME OF SECOND JOINT INVENTOR

U.S.A.
Country of Citizenship


Inventor's Signature

June 30, 2003
Date

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Carmel, IN 46033
Residence and Post Office Address

Stephen M. Spaethe (Deceased)
FULL NAME OF THIRD JOINT INVENTOR

Date

Inventor's Signature (Inventor, Stephen M. Spaethe, signed by Lisa Spaethe, as Legal Representative)

U.S.A.
Country of Citizenship

1404 Spruce Drive
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Residence and Post Office Address (Residence Address of Legal Representative)